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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

GART, MATTHEW S

ART UNIT	PAPER NUMBER
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3625

DATE MAILED: 01/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/616,714

Applicant(s)

ANANDA, MOHAN

Examiner

Matthew s Gart

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 October 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,7-11 and 14-38 is/are pending in the application.
- 4a) Of the above claim(s) 22-37 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,7-11,14-21 and 38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 November 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

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DETAILED ACTION

Claims 1-4, 7-11 and 14-38 remain pending in this application.

Claims 5, 6, 12 and 13 were previously canceled.

Claims 22-37 have been withdrawn from consideration without prejudice.

Claims 1-4, 7-11, 14-21 and 38 are rejected as set forth below.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 8-11, 15-21 and 38 are rejected under 35 U.S.C. 102(e) as being anticipated by Sharp (U.S. Patent No. 6,263,317).

Referring to claim 1. Sharp discloses a method for providing secure electronic commerce transactions with multiple merchants comprising:

- Establishing a secure communication link between at least one client computer system and a vendor computer system (Sharp: column 3, lines 6-40, "Using computer system **100**, a customer using client computer **120** can access an e-commerce website hosted on server computer **110** via computer network **150**).

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The e-commerce website allows the customer to select among a large assortment of products from different manufacturers.”);

- Transmitting transaction information between said client computer system and said vendor computer systems enabling a user at said client computer system to select and purchase, via said vendor computer system, items listed in a merchant computer system by a plurality of merchants without said user having direct access to said merchant computer system (Sharp: column 3, lines 6-40, “The e-commerce website allows the customer to place multiple orders for multiple products and/or services in a single session....The computer program allocates the order to a supplier of the product according to a distribution channel conflict resolution scheme specified by the manufacturer of the product.”);
- Modifying responses from said merchant computer to said client computer system at said vendor computer system thereby controlling information exchange between said merchant computer system and said client computer system through said vendor computer (Sharp: column 4, lines 29-55, “All shipping materials generated in stages **351** and **354** reflect the owner of the website as the shipping party, regardless of the distribution channel actually used to ship the product, making the actual distribution channel conflict resolution process transparent to the user.”);
 - Wherein modifying responses from said merchant computer system comprises;

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- Modifying merchant content obtained from said merchant computer system to redirect one or more hyper-text elements to said vendor computer system (Sharp: column 4, lines 29-55); and
- Reframing said merchant content as a web page of said vendor computer system (Sharp: column 4, lines 29-55); and
- Wherein transmitting said transaction information comprises transmitting said web page of said vendor computer system to said client computer system (Sharp: column 4, lines 29-55).

The Examiner notes, an order is allocated to a supplier according to a web sales channel conflict resolution protocol specified by the manufacturer. Once the supplier accepts the order, the supplier processes the order and prints a packing slip and a shipment confirmation information form. Order/shipment confirmation information, including an order number and a link to an order/shipping web page, is emailed to the customer in stage **318**. All shipping materials are modified to reflect the owner of the website as the shipping party, regardless of the distribution channel actually used to ship the product, making the actual distribution channel conflict resolution process transparent to the user. The customer checks the order and shipping status on-line in stage **390**, whereby the customer accessing an e-commerce website using the order and link information supplied in stage **318**. Fig. 15 is an example of the type of information the customer would access in stage **390**. As shown in Fig. 15, the merchant

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content is re-directed to the vender's computer system and is displayed (reframed) as a web page of said vender computer system.

Referring to claim 2. Sharp further discloses a method wherein said transmitting step further comprises:

- Generating a purchase order for said items after said user's selection of at least one if said items for purchase from said merchant computer system via said vendor computer system (Sharp: Fig. 3, "Step 315").

Referring to claim 3. Sharp further discloses a method comprising:

- Obtaining payment from said user (Sharp: column 3, line 61 to column 4, line 11); and
- Transmitting payment to at least one of said plurality of merchants on behalf of said user (Sharp: column 4, lines 12-28, "The order is then allocated to a supplier according to a web sales channel conflict resolution protocol specified by the manufacturer in stage **321**").

Referring to claim 4. Sharp further discloses a method wherein said payment is obtained by an operator of said vendor computer system (Sharp: column 6, lines 1-35, "Order list page **500** can be used by a human operator of a computer connected to server computer **110**, or of server computer **110** itself, to manually allocate orders to suppliers according to a protocol specified by the manufacturer of the product being allocated.").

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Referring to claim 8. Claim 8 is rejected under the same rationale as set forth above in claim 1.

Sharp further discloses monitoring an information exchange between said client computer and said plurality of merchant computer systems at said vendor computer system to obtain said transaction information (Sharp: column 7, lines 57-65).

Referring to claim 9. Claim 9 is rejected under the same rationale as set forth above in claim 2.

Referring to claim 10. Sharp further discloses a method wherein a vendor of said vendor computer system forwards payments to said one or more merchants for the supplied items on behalf of said user (Sharp: column 3, line 61 to column 4, line 11).

Referring to claim 11. Sharp further discloses a method wherein said user makes payment to said vendor for said supplied items (Sharp: column 3, line 61 to column 4, line 11).

Referring to claim 14. Claim 14 is rejected under the same rationale as set forth above in claim 7.

Referring to claim 15. Sharp further discloses a method wherein said step of modifying responses occurs automatically (Sharp: column 4, lines 29-55).

Referring to claim 16. Claim 16 is rejected under the same rationale as set forth above in claim 15.

Referring to claim 17. Claim 17 is rejected under the same rationale as set forth above in claim 1.

Referring to claim 18. Sharp further discloses a vendor computer system wherein said step of obtaining said merchant content comprises:

- Receiving a user request from said client computer system (Sharp: Fig. 3);
- Transmitting said user request to said merchant server (Sharp: Fig. 3); and
- Receiving from said merchant server a response comprising said merchant content (Sharp: Fig. 3).

Referring to claim 19. Sharp further discloses a vendor computer system wherein said step of receiving said user request comprises identifying said merchant server from a plurality of possible merchant servers (Sharp: Fig. 4, "Allocate by zip code").

Referring to claim 20. Sharp further disclose a vendor computer system wherein said user request is an order request, and said step of transmitting said user request to said merchant server comprises inserting user order information into said order request (Sharp: Figure 3).

Referring to claim 21. Claim 21 is rejected under the same rationale as set forth above in claim 1.

Referring to claim 38. Claim 38 is rejected under the same rationale as set forth above in claim 1.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sharp (U.S. Patent No. 6,263,317) in view of Ferguson (U.S. Patent No. 5,966,697).

Referring to claim 7. Sharp discloses a method according to claim 1 as indicated supra. Sharp does not expressly disclose a method wherein said step of transmitting transaction information further comprises:

- Displaying one or more icons corresponding to said plurality of merchants at said client computer for user selection;
- Providing said items listed in said merchant computer system to said user at said client computer system via said vendor computer system, in response to said user selection of at least one of said one or more icons.

Ferguson discloses a method wherein said step of transmitting transaction information further comprises:

- Displaying one or more icons corresponding to said plurality of merchants at said client computer for user selection (Ferguson: column 7, line 62 to column 8, line 6);

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- Providing said items listed in said merchant computer system to said user at said client computer system via said vendor computer system, in response to said user selection of at least one of said one or more icons (Ferguson: column 7, line 62 to column 8, line 6).

At the time the invention was made, it would be obvious to a person of ordinary skill in the art to have modified the system of Sharp to have included the teachings of Ferguson as discussed above in order to provide a system and method for shopping at a variety of different vendors easily and securely (Ferguson: column 2, lines 15-26).

Referring to claim 14. Claims 14 is rejected under the same rationale as set forth above in claim 7.

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Response to Arguments

Applicant's arguments with respect to claims 1-4, 7-11, 14-21 and 38 are moot in view of the new grounds of rejection.

Conclusion

Any inquiry concerning this communication should be directed to Matthew Gart whose telephone number is 703-305-5355. This examiner can normally be reached Monday-Friday, 8:30AM-5:30PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Wynn Coggins can be reached on 703-308-1344. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



MSG
Patent Examiner
January 11, 2005